BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2003-246-T - ORDER NO. 2003-637 OCTOBER 23, 2003

IN RE: Application of Senior Services, Inc., 2320) ORDER GRANTING
Devine Street, Columbia, SC 29205, for a) CLASS E CERTIFICATE

Class E Certificate of Public Convenience and Necessity.

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Application of Senior Services, Inc. (Senior Services or the Company) for a Class E Certificate of Public Convenience and Necessity to transport household goods as follows:

Household Goods, As Defined in R. 103-210(1): Between points and places in Richland, Lexington, Kershaw, Fairfield, Sumter and Orangeburg Counties.

The Commission's Executive Director instructed Senior Services to publish a Notice of Filing in a newspaper of general circulation in the service areas desired. The Notice of Filing instructed the public as to how to file pleadings to participate in the proceedings on the Application. No Protests or Petitions to Intervene were filed.

Accordingly, a hearing on the Application was held on October 15, 2003 in the offices of the Commission. The Honorable Mignon Clyburn, Chairman, presided. Senior Services was represented by Scott Elliott, Esquire. The Commission Staff was represented by F. David Butler, General Counsel.

Senior Services presented the testimony of Florence (Ronnie) Klemick, George Lesesne, Mary Ellen Knight, and Gina Baker. The Commission Staff presented the

testimony of L. George Parker, Jr., Manager of the Commission's Transportation Department.

Senior Services first presented the testimony of Florence (Ronnie) Klemick, owner of the Company and Vice-President for Marketing. Ms. Klemick described, among other things, her observations of the problems that certain senior citizens had when arranging moves. Ms. Klemick had been Marketing Director while employed at Waterford as a resident recruiter. These problems and other problems encountered by senior citizens prompted Ms. Klemick to start Senior Services. Ms. Klemick noted that her Company's market is a niche market that fits well with her existing senior services repair business.

George Lesesne, Chief Operating Officer for the Company, testified that he had worked in the retirement community in Orangeburg. Lesesne stated that he did not know of any movers in the Orangeburg area, so he had to obtain movers from other counties. At present, with regard to the Senior Services moving business, Lesesne notes that his duties will be to perform a walk-through prior to quoting the price on a move. He described the equipment that he intended to use in the moving business. Lesesne also noted that the Company passed its recent safety audit conducted by the South Carolina Department of Public Safety. Also, Lesesne stated that he had access to a person with fifteen years experience in the furniture moving business to help the Company with moves. Further, Lesesne states that he chose the six counties because between 30%-50% of the retirement facilities in South Carolina are in these counties.

Senior Services also presented the testimony of Mary Ellen Knight. Ms. Knight works for Waterford of Columbia as a "Move-In Coordinator." She testified that she has coordinated moves to and from facilities in all six counties applied for in this Docket. She stated that she has had difficulty in finding existing movers that could accommodate short notice schedules, which are common among senior citizens.

The Company also called Gina Baker as a witness. Ms. Baker has worked for Alterra as a Marketing Director. She stated that there are eight Alterra facilities in South Carolina, and she has experience arranging moves while working for that Company. She also noted that many seniors move from one facility to another within the State in order to be close to family and for other reasons.

Finally, the Commission Staff presented the testimony of L.George Parker, Jr., Manager of the Commission's Transportation Department. Parker stated that the equipment to be used by Senior Services was in excellent condition and appeared to have been recently purchased.

S.C. Code Ann. Section 58-23-590(C) (Supp. 2002) states that the Commission shall issue a common carrier certificate of public convenience and necessity if the applicant proves to the Commission that: (1) it is fit, willing, and able to properly perform the proposed service and comply with the provisions of the chapter and the Commission's regulations and (2) the proposed service, to the extent to be authorized by the certificate or permit, is required by the present public convenience and necessity.

Upon consideration of this matter, we find that the Company Senior Services, Inc. has demonstrated that it is fit, willing, and able to perform the services sought by the

Application. The testimony of Company witness Lesesne reveals that the Company is fit, willing, and able under the standards contained in 26 S.C. Regs. 103-133. Further, we find that the testimony of Ms. Klemick, Ms. Knight, and Ms. Baker indicate that the proposed service is required by the present public convenience and necessity.

Based upon the record before the Commission and the statutory requirements along with the guidelines contained in the Commission's regulations, we find sufficient evidence to grant the Application and therefore grant to Senior Services, Inc. a Class E Certificate of Public Convenience and Necessity for the movement of household goods as follows:

Household Goods, As Defined in R. 103-210(1): Between points and places in Richland, Lexington, Kershaw, Fairfield, Sumter, and Orangeburg Counties.

This grant of authority is contingent upon compliance with all Commission regulations as outlined below.

IT IS THEREFORE ORDERED THAT:

- 1. The Application of Senior Services, Inc. for a Class E Certificate of Public Convenience and Necessity be, and hereby is, approved for authority to transport household goods between points and places in Richland, Lexington, Kershaw, Fairfield, Sumter, and Orangeburg Counties.
- 2. Senior Services, Inc. shall file, or cause to be filed, with the Commission the proper insurance filings for both liability and cargo insurance ("Form E' and "Form H"), safety rating, tariff or schedule of rates and charges, and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by R.103-100 through R.103-241 of the Commission's Rules and Regulations for Motor Carriers, S.C.

Code Ann. Vol. 26 (1976), as amended, and R.38-400 through 38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 23A (1976), as amended, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

- 3. Upon compliance with S.C. Code Ann. Section 58-23-10, et seq. (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, a Certificate shall be issued to Senior Services, Inc. authorizing the motor carrier services granted herein.
- 4. Prior to compliance with the above-referenced requirements and receipt of a Certificate, the motor carrier services authorized herein shall not be provided.
- 5. Failure of the Applicant either (1) to complete the certification process by complying with the Commission requirements of causing to be filed with the Commission within sixty (60) days of the date of this Order proof of appropriate insurance (both liability insurance and cargo insurance), a tariff or schedule of rates and charges, an acceptable safety rating, and other information required by statute or Commission rule and regulation or (2) to request and obtain from the Commission additional time to comply with the requirements of the Commission as stated above, shall result in the authorization approved in the Order being revoked.

6. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

Mignon L. Clyburn

Chairman

ATTEST:

Bruce F. Duke

Acting Executive Director

(SEAL)